

Docket No. IL-10492BCustomer No. 24981

Commissioner for Patents  
Alexandria, VA 22313-1450

## NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of Inventor(s):  
**Duncan J. Maitland, Abraham P. Lee, Daniel L. Schumann, Dennis L. Matthews,  
Derek E. Decker, Charles A. Jungreis**

For (title): **SHAPE MEMORY POLYMER ACTUATOR AND CATHETER**

**1. Type of Application**

- ☒ This new application is for an original patent.
- ☐ This new application is a:
  - ☒ Division
  - ☐ Continuation
  - ☐ Continuation-in-part (CIP)

**2. Benefit of Prior U.S. Application(s) (35 USC 120)**

- ☒ The new application being transmitted claims the benefit of prior U.S. application(s). 09/761,023 filed 1/16/2001

**3. ☒ Benefit under 35 U.S.C. 119(e) of United States provisional application(s) listed below:**

|                        |                  |
|------------------------|------------------|
| <u>60/246,293</u>      | <u>11/6/2000</u> |
| Application Serial No. | Filing Date      |

**4. Papers enclosed which are required for filing Date Under 37 CFR 1.53(b).**

|                                     |                                      |
|-------------------------------------|--------------------------------------|
| <u>26</u>                           | Pages of specification w/ title page |
| <u>2</u>                            | Pages of claims                      |
| <u>1</u>                            | Pages of abstract                    |
| <u>11</u>                           | Sheets of drawings                   |
| <input checked="" type="checkbox"/> | formal                               |

**5. Additional papers enclosed**

- ☒ Cover Letter
- ☒ Information Disclosure Statement
- ☒ Form PTO-1449

17510 U.S. PTO  
10/713622



Docket No. IL-10492BCustomer No. 24981**6. Declaration or oath**

- ☒ Copy of IL-10492 enclosed and executed by
- ☒ inventors
  - ☐ legal representative of inventor(s) 37 CFR 1.42 or 1.43
  - ☐ Not Enclosed

**7. Assignment**

- ☒ An assignment of the invention to The Regents of the University of California.
- ☒ previously filed
  - ☐ will follow

**8. Certified Copy**

Certified copy(ies) of application(s)

|           |                   |         |
|-----------|-------------------|---------|
| (country) | (application no.) | (filed) |
| (country) | (application no.) | (filed) |

from which priority is claimed

- ☐ is(are) attached.
- ☐ will follow

**9. Fee Calculation**

| CLAIMS AS FILED    |              |                       |              |                          |           |
|--------------------|--------------|-----------------------|--------------|--------------------------|-----------|
| Type of Claim      | Number Filed | Included in Basic Fee | Number Extra | Rate                     | Total Fee |
| Total Claims       | 4            | -20 =                 | 0            | x \$18 =                 | \$        |
| Independent Claims | 1            | -3 =                  | 0            | x \$86 =                 | \$        |
|                    |              |                       |              | Multiple Claims =        | \$        |
|                    |              |                       |              | Basic Filing Fee =       | \$ 770.00 |
|                    |              |                       |              | Sub-Total =              | \$ 770.00 |
|                    |              |                       |              | Small Entity Filing Fee= | \$ 385.00 |

Docket No. IL-10492B

Customer No. 24981

**10. Small Entity Statement(s)**

☐ Verified Statement that this is a filing by small entity under 37 CFR 1.9 and 1.27 is attached.

☒ Small Entity status is proper and desired

Filing Fee Calculation (50% of regular filing fee) \$ 385.00

**11. Fee Payment**

☐ Not Enclosed

☒ Enclosed (See Account No. Below)

**Total Basic Filing Fees To Be Paid \$ 385.00**

**12. Method of Payment of Fees**

☐ Check in the Amount of \$ \_\_\_\_\_

☒ Charge Account No. 12-0695 in the amount of \$ 385.00

**A duplicate of this transmittal is attached.**

**13. Instructions As To Overpayment/Underpayment**

☒ credit/charge

Account No. 12-0695

☐ refund



Eddie E. Scott  
ATTORNEY  
Reg. No.: 25,220

Tel No.: (925) 424-6897  
P.O. Box 808, L-703  
Livermore, CA 94551

Dated: November 12, 2003



# Lawrence Livermore National Laboratory

Office of Laboratory Counsel  
Intellectual Property Law Group  
(925) 424-6897

November 13, 2003

U.S. Patent and Trademark Office  
Alexandria, VA 22313-1450

**RE: Divisional Application**  
**"Shape Memory Polymer Actuator and Catheter"**  
**Duncan Maitland, et al.**  
**IL-10492B**

Honorable Commissioner for Patents:

Please note that the claims in the attached divisional application correspond to the Election/Restriction dated August 19, 2003, whereby the claims were restricted as follows:

Group I - 1-60 and 65-68, drawn to the device for removing matter from blood vessel, classified in class 606, subclass 159.

Group II - Claims 61-64, drawn to a method of manufacturing an actuator for acting upon in blood vessel, classified in class 128, subclass 898.

We elected Claims 1-60 and 65-68 of Group I and withdrew non-elected claims 61-64 of Group II subject to the right to file a divisional application covering the inventions of Claims 61-64.

IL-10492B  
Divisional Application

Restriction Group II  
dated 8/19/03

1  
2  
3  
4

61  
62  
63  
64

Sincerely,

Eddie E. Scott, Assistant Laboratory Counsel  
University of California (LLNL)  
7000 East Avenue, Mail Code L-703  
Livermore, CA 94550

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Duncan J. Maitland, et al.

Attorney Docket No. : IL-10492B

Serial No. :

Art Unit:

Filed :

Examiner:

For : Shape Memory Polymer Actuator and Catheter

Commissioner for Patents  
Alexandria, VA 22313-1450EXPRESS MAIL CERTIFICATE"Express Mail" label number EV108178302USDate of Deposit November 13, 2003I hereby certify that the following *attached*

1. Cover Letter dated November 13, 2003
2. New Application Transmittal (in duplicate)
3. Application  
(Specification w/Title page 26 pages, Claims 2 pages, Abstract 1 page)  
Eleven (11) sheets of formal drawings;
4. Copy of IL-10492 Combined Declaration and Power of Attorney  
(6 pages)
5. Copy of IL-10492 Information Disclosure Statements Form  
PTO-1449 (2 pages)
6. Express Mail Certificate
7. Return postcard

is being deposited with the United States Postal Service "Express Mail Post Office to addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Kathy E. Raymond

(Type or print name of person mailing paper)

Kathy E. Raymond

(Signature of person mailing paper or fee)